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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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WALTER A.Y.H. CHINN, CLERK

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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00197 HG
)	
Plaintiff,)	FIRST SUPERSEDING INDICTMENT
)	[21 U.S.C. §§ 846, 841(a)(1),
vs.)	841(b)(1)(A), 841(b)(1)(B)]
)	
DAVID L. AKANA,)	
a.k.a. "Kawika," and)	
"Uncle",	(01))	
MICHAEL WAYNE DELOS)	
SANTOS,	(02))	
JUBILEE EDWARD LOGAN,	(03))	
a.k.a. "Dreammaker,")	
FRANCISCO OROZCO,	(04))	
a.k.a. "Paco,")	
)	
Defendants.)	
)	

FIRST SUPERSEDING INDICTMENT

Count 1:

The Grand Jury charges that:

From a time unknown to the grand jury but at least on or

about June, 2002, to and including January 16, 2003 in the District of Hawaii and elsewhere, JUBILEE LOGAN, a.k.a. "Dreammaker," FRANCISCO OROZCO, a.k.a. "Paco," and DAVID L. AKANA, a.k.a. "Kawika" and "Uncle", together with Denise Mejia, a.k.a. "Baby Doll," not named as a defendant herein, and others known and unknown to the grand jury, knowingly and intentionally conspired to distribute and to possess with intent to distribute fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, and five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, also a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and 841(b)(1)(B).

Overt Acts:

In furtherance of this conspiracy and in order to attain the objects thereof, the following overt acts, among others, were committed in the District of Hawaii and elsewhere:

1. On or about January 14, 2003, at 1710 West Victory Blvd., Apt. E, Burbank, CA, FRANCISCO OROZCO, a.k.a. "Paco," accepted delivery of the following Federal Express ("FedEx") parcel:

One large brown box, bearing FedEx tracking no. 837535955351, listing the sender as Jubilee Logan, 110 Operations Road, Hilo, HI, 96720, (808) 966-9169, and being sent to Francisco Orozco, 1710 West Victory

Blvd., Apt. E, Burbank CA 91506, (818) 209-8769.
[hereinafter referred-to as "subject parcel #1"].

2. On or about January 14, 2003, FRANCISCO OROZCO possessed at 1710 Victory Blvd., Apt. E, Burbank, CA, two FedEx receipts for packages sent to Hilo, Hawaii, to wit:

- a. FedEx tracking no. 791272012594, sent January 8, 2003, from Francisco Orozco, 1710 W. Victory Blvd. #E, Burbank, CA, 91506, (818)209-8769, to Estephani Rosario, 178 Kuakolu Pl., Hilo, HI, 96720 (808) 990-6348.
- b. FedEx tracking no. 791275222041, sent January 13, 2003, addressed from Francisco Orozco, 1710 W. Victory Blvd. #E, Burbank, CA 91506 (818)209-8769 to Mat Rubio, 800 Kaiwika Rd., Hilo, Hawaii 96720 (808) 989-3325.

3. On or about January 14, 2003, FRANCISCO OROZCO, a.k.a. "Paco," possessed at 1710 Victory Blvd., Apt. E, Burbank, CA, an itinerary from Globetrotter Travel, 2625 E. Florence Ave., #E, Huntington Park, CA, 90255 (323) 589-6611, which showed that a "FRANCISCO OROZCO" was scheduled to fly from Burbank, CA to Hilo, HI on January 13, 2003, and that \$670.00 had been paid for the ticket.

4. On or about January 15, 2003, in Hilo, HI, Denise Mejia, a.k.a. "Baby Doll," not charged as a defendant herein, took possession of:

One (1) FedEx Overnight Express brown cardboard box, measuring approximately 36" x 21" x 21", weighing approximately 45 lbs. and sealed with clear packing tape, the label on the parcel having a FedEx air bill bearing tracking number 791275222041 addressed from Francisco Orozco (818)209-8769 to Mat Rubio, 800 Kaiwika Rd., Hilo,

Hawaii 96720 with a contact number of (808) 989-3325. **[hereinafter referred-to as "subject parcel #2"]**. Subject parcel #2 contained 839.2 grams of methamphetamine, its salts, isomers, and salts of its isomers, and 977.0 grams of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers.

5. On or about January 15, 2003, DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," received a telephone call from FRANCISCO OROZCO, a.k.a. "Paco,"

6. On or about January 15, 2003, DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," made a telephone call to JUBILEE LOGAN, a.k.a. "Dreammaker."

7. On or about January 15, 2002, Denise Mejia, a.k.a. "Baby Doll," met with JUBILEE LOGAN, a.k.a. "Dreammaker," and turned subject parcel #2 over to him.

8. On or about January 15, 2003, JUBILEE LOGAN, a.k.a. "Dreammaker," drove away from his meeting with Denise Mejia, a.k.a. "Baby Doll," not charged as a defendant herein, taking subject parcel #2 with him.

9. On or about January 15, 2003, at his residence in Mountain View, Hawaii, JUBILEE LOGAN, a.k.a. "Dreammaker," possessed two Food Saver sealing machines and a box of Food Saver rolls of plastic wrap.

10. On or about January 15, 2003, JUBILEE LOGAN, a.k.a. "Dreammaker," possessed three wire receipts for money sent via Western Union to a person, "B.O.," in Burbank, California (\$1,000

on July 5, 2002, \$500 on August 5, 2002, and \$3,000 on September 24, 2002);

11. On or about January 15, 2003, JUBILEE LOGAN, a.k.a. "Dreammaker," possessed a photocopy of a receipt dated November 14, 2002, for a FedEx parcel shipped to San Diego California from Hilo, Hawaii, listing the sender as a "Francisco Orozco," with JUBILEE LOGAN's Mountain View, HI, 96771, post office box (P.O. Box 528) as the sender's address.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1), 841(b)(1)(A), and 841(b)(1)(B).

Count 2:

The Grand Jury further charges that:

On or about January 15, 2003 in the District of Hawaii, JUBILEE LOGAN, a.k.a. "Dreammaker," DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," and FRANCISCO OROZCO, a.k.a. "Paco," knowingly and intentionally attempted to possess with intent to distribute fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Count 3:

The Grand Jury further charges that:

On or about January 15, 2003 in the District of Hawaii and elsewhere, JUBILEE LOGAN, a.k.a. "Dreammaker," DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," and FRANCISCO OROZCO, a.k.a. "Paco," knowingly and intentionally attempted to possess with intent to distribute five hundred (500) grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometrical isomers, and salts of isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count 4:

The Grand Jury further charges:

On or about April 22, 2004, in the District of Hawaii, DAVID L. AKANA did knowingly and intentionally possess with intent to distribute, fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 5:

The Grand Jury further charges:

On or about April 22, 2004, in the District of Hawaii,

MICHAEL WAYNE DELOS SANTOS did knowingly and intentionally possess with intent to distribute and distribute methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

SENTENCING CONSIDERATIONS

1. With respect to Count 1, JUBILEE LOGAN, a.k.a. "Dreammaker," FRANCISCO OROZCO, a.k.a. "Paco," and DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," knowingly and intentionally conspired to distribute and to possess with intent to distribute at least 5 kilograms but less than 15 kilograms of methamphetamine, or at least 500 grams but less than 1.5 kilograms of methamphetamine (actual), or at least 500 grams but less than 1.5 kilograms of "ice," i.e. a mixture or substance containing d-methamphetamine hydrochloride of at least 80% purity.

2. With respect to Count 1, JUBILEE LOGAN, a.k.a. "Dreammaker," FRANCISCO OROZCO, a.k.a. "Paco," and DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," knowingly and intentionally conspired to distribute and to possess with intent to distribute at least 500 grams but less than two kilograms of Cocaine.

3. With respect to Count 2, JUBILEE LOGAN, a.k.a. "Dreammaker," DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," and FRANCISCO OROZCO a.k.a. "Paco," knowingly and intentionally

attempted to possess with intent to distribute at least 5 kilograms but less than 15 kilograms of methamphetamine, or at least 500 grams but less than 1.5 kilograms of methamphetamine (actual), or at least 500 grams but less than 1.5 kilograms of "ice," i.e. a mixture or substance containing d-methamphetamine hydrochloride of at least 80% purity.

4. With respect to Count 3, JUBILEE LOGAN, a.k.a. "Dreammaker," DAVID L. AKANA, a.k.a. "Kawika" and "Uncle," and FRANCISCO OROZCO, a.k.a. "Paco," knowingly and intentionally conspired to distribute and to possess with intent to distribute at least 500 grams but less than two kilograms of Cocaine.

DATED: Honolulu, Hawaii, December 29, 2004.


A TRUE BILL.

151

GRAND JURY FOREPERSON

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